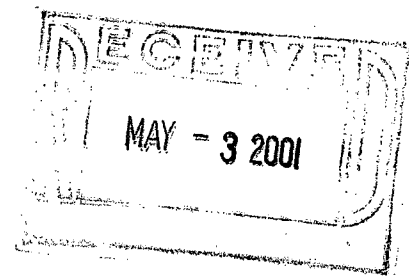




BRENNAN ENVIRONMENTAL, INC.
Environmental Consulting Services

T. 973.781.1801
F. 973.781.1804
www.bei-env.com

8 Great Meadow Lane / Unit D
East Hanover, NJ 07936-1703
Writer's e-mail address: pficuciello@bei-env.com



Regular Mail

May 2, 2001

Kathleen Rogacki, Case Manager
NJDEP-BCM
401 East State Street, PO Box 028
Trenton, NJ 08625-0028

Re: Remedial Progress Report
Tidewater Baling
26 St. Charles Place
Newark, NJ
BEI Job #99186

Dear Ms. Rogacki:

Brennan Environmental, Inc. (BEI) is pleased to provide this Remedial Progress Report for the remedial activities that have been conducted at the subject site since our meeting at your offices on February 15, 2001. During that meeting Tidewater Baling indicated that they were close to a contract of sale for the property. The proceeds from that sale were to aid in the remedial effort.

NJDEP indicated that progress with the remedial work required by the approved NJDEP Cleanup Plan dated February 28, 1995 was to commence within 30 days of the February 15, 2001 meeting and that the cleanup was to be completed within one year.

Since that time, the sale that had been pending at the time of the February 15, 2001 meeting, has fallen through. Tidewater Baling, however, immediately commenced remedial activities and has continued that effort. The specific activities are detailed below and an implementation schedule for continued work is also provided.

Ironbound Stadium Scoreboard Area Soil Pile

During the second week of February 2001, Tidewater Baling alerted NJDEP that the soil that was stockpiled at the Scoreboard Area was no longer present and that they were unaware of its location or disposition. Attached is a copy of analytical results from the most recent waste characterization of the soil pile located near the scoreboard area of the Ironbound Stadium property. Tidewater Baling's former consultant obtained these samples in 1997. Please note that these results indicate a TPHC concentration of 4,170 ppm, which is below the NJDEP Soil Cleanup Criteria of 10,000 ppm. Concentrations of PCBs were either not detected or below the most stringent NJDEP Soil Cleanup Criteria. Similarly, priority pollutant metals were all below the most stringent NJDEP Soil Cleanup Criteria except for lead at 1240 ppm. There were no hazardous levels of TCLP metals. Based on these analytical results, it is reasonable to assume that these stockpiled soils could be characterized as ID-27.

The Scoreboard Area is located at the northeast side of the Ironbound Stadium facility. The stadium field, of which the Scoreboard Area is part of, has been inactive for many years due to the discovery of environmental concerns at the southwest portion of the property on the opposite side of the stadium field from the Scoreboard Area. The City of Newark has restricted access to this portion of the facility since the discovery of the contamination at the Ironbound Stadium facility. The Ironbound Stadium, located south of the subject property on St. Charles Place, is a Newark City owned and operated facility whose renovations are managed by the Newark Engineering Department. The entire area is secured by a fence and is not used as part of any recreation or any other activity. The only known access to this area is by the City of Newark. BEI contacted the Newark Engineering Department on several occasions during March 2001 and has met with a representative from the Newark Engineering Department to determine the status of the soil pile formerly located near the Ironbound Stadium Scoreboard Area.

BEI visited the subject property and the surrounding Ironbound Athletic Field on March 28, 2001 and inspected the Ironbound Stadium scoreboard area. BEI was escorted by Ms. Mary Ann Adjepong, Assistant Director of the Newark's Department of Engineering. The Ironbound Stadium has been closed for over twenty years and is a known contaminated site. According to Ms Adjepong, there has been NJDEP oversight for the Ironbound Stadium in the past, although very little activity has occurred here recently. The responsible party for the impacts to the Ironbound Stadium is reported to be Hoechst-Celanese, according to Ms. Adjepong.

Based on BEI's and Ms. Adjepong's observations on March 28, 2001, it appears that some grounds keeping activities have been recently performed in the area of the Scoreboard Area. Specifically, the tall weeds and rubbish that were present in the area around the Scoreboard Area were cut down and the area graded. BEI noted a pile of soil



and debris on the athletic track adjacent to the scoreboard area on the day of our inspection. The pile, which was approximately 20 cubic yards in area, consisted of soil, trash, fencing, and plastic sheeting.

BEI also noted that the plastic sheeting was also present around an area covering much of the Scoreboard Area's western side (approximately 10,000 square feet), which further indicates that a portion of the soil pile may have been used to grade the area around the scoreboard area. A photograph of this area is enclosed with this letter.

Ms. Adjepong indicated during our visit that she would follow up with the neighborhood service department that was likely responsible for the recent activities at the scoreboard area to confirm the current status of the scoreboard stockpile. Upon confirmation from Ms. Adjepong, Tidewater Baling shall propose an appropriate course of action.

Soil Erosion Permit

Please be advised that BEI is currently preparing a Soil Erosion Permit. The permit is required by the City of Newark for areas of disturbance greater than 5,000 square feet. The permit will be completed and submitted to the Newark Department of Engineering by May 15, 2001. According to the Newark Department of Engineering, the permit application will require up to 1 week to review and approve.

Removal of scrap material

Since the conclusion of the February 15, 2001 meeting with the NJDEP, Tidewater Baling Corp. has been working continuously to clear the piles of scrap metal that are present across much of the subject property. The removal of this material is a significant undertaking because of the sheer size of the piles. Since much of the proposed area to be remediated is located under these scrap metal piles, the removal of the scrap metal is obviously an important part of the overall cleanup of the subject property. The following is a report on the status of the scrap cleanup.

Tidewater started segregating and removing scrap from the site on March 1, 2001. The following materials have been removed to date:

1. 600 tons of bushling (small pieces of steel)
2. 200 tons of light iron
3. 50 tons of wire bundles
4. 200-300 tons of misc. steel



Implementation Schedule

The scrap removal work remaining to be completed is as follows:

1. Remove approximately 60 cars
2. Remove approximately 100 tons of wire bundles
3. Remove 100 tons of bushling
4. Remove four trailer tankers, located behind the bailer, that range in size from approximately 6,000 to 10,000 gallons in size
5. Many of the cranes and heavy equipment on site will be cannibalized for useful parts, and the remainder will be cut and scrapped by Tidewater Baling Corp. However, the heavy equipment is not interfering with the proposed remediation, so this task will likely be completed after the soil remediation is completed.

Tidewater Baling anticipates that the wire bundles and bushling will be removed by the week of April 30, 2001, along with the remaining cars.

Once all of the aforementioned scrap metal is removed and the soil erosion permit is approved by the City of Newark, then soil remediation will commence.

The following is an implementation schedule with important events included to create a timeline. Implementation of soil excavation will be subject to NJDEP and Tidewater's agreement of an approved soil cleanup criteria.

Complete	Completion/ Anticipated Completion Date	Task
✓	12/26/00	Sample existing monitoring wells
n/a	~2/7/01	Soil pile at Ironbound Stadium scoreboard area disturbed.
n/a	2/15/01	Meeting at NJDEP.
✓	3/1/01	Tidewater Baling starts to decommission site by removing all scrap and debris.
✓	4/1/01	Negotiations for sale of subject property cease, transaction cancelled.
	To be determined	Receive information from Newark Engineering Department regarding status of scoreboard soil pile
	5/10/01	Schedule soil removal for Ironbound Stadium scoreboard area soil pile
	5/14/01	Tidewater to complete scrap removal
	5/21/01	Soil Erosion Permit to be submitted to Newark Engineering
	5/22/01	Submit Progress Report
	5/28/01	Newark Engineering estimated approval date of Soil Erosion Permit
	6/15/01	Schedule excavating contractor
	7/2/01	Begin install of erosion control measures
	7/23/01	Obtain underground utility mark outs; notify NJDEP of work schedule at site
	8/1 to 8/31/01	Perform excavation activities as per an approved RAW as well as post excavation soil sampling; submit samples to laboratory.



Complete	Completion/ Anticipated Completion Date	Task
	9/24/01	Receive post excavation soil sample results
	10/1 to 11/30/01	Prepare Remedial Action Report
	12/3/01	Submit Remedial Action Report to the NJDEP for review.

BEI will contact you when field activities commence. If you have any questions or comments, please call me at our East Hanover office.

Sincerely,
Brennan Environmental, Inc.

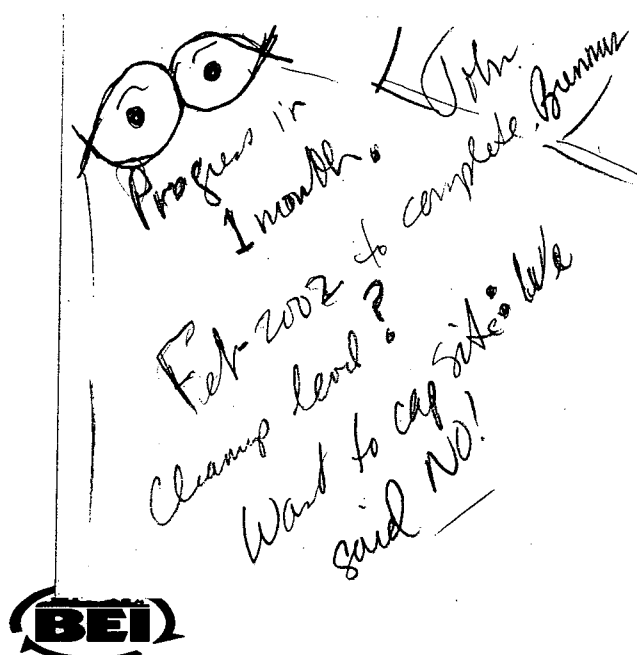


Peter Ficuciello, Project Manager

cc: Alan Shapiro, w/enclosures
Richard Levao, Esq., Drinker Biddle & Shanley LLP, w/enclosures
Mary Ann Adjepong, P.E., Newark Engineering Department, w/enclosures

enclosures

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Progress in 1 month. John
Feb-2002 to complete. Brennan
Cleanup level? Want to cap site. We said NO!




Photo Page for Ironbound Stadium Scoreboard Area, Newark, NJ



Ironbound Stadium Scoreboard Area on BEI's March 28, 2001 site visit. The Tidewater facility can be seen in the background on the left side of the photo.